

SEP 08 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: Rariy, Roman V. et al. | Examiner: Kumar, Shailendra |
| Application Serial No.: 10/691,465 | Art Unit: 1621 |
| Filed: October 22, 2003 | Atty. Docket No.: CPX-003.01 |
| Title: <i>Stereoisomers of p-Hydroxy-Milnacipran and Methods of Use Thereof</i> | |

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| I hereby certify that the instant "Revised Response to Advisory Action" is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300. | |
| 9/8/05 Date of Signature | By: <u>Dana M. Gordon</u> Dana M. Gordon |

Revised Response to Advisory Action

Dear Examiner Kumar:

In response to the Advisory Action in the above-identified application, mailed August 1, 2005, the Applicants submit the following Revised Response.

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PAGE 1/25 * RCVD AT 09/09/2005 5:21:48 PM (Eastern Daylight Time) * SVR:USPTO-EFXXF-6/25 * DNS:2738300 * CSID:517 832 7000 * DURATION (mm:ss):04:58

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Response

Claims 1-3, 7, 8, and 12-44 are pending. Claims 4-6 and 9-11 have been canceled. Claims 1, 2, 12-14, 18-20, 35-44 have been amended. The claim amendments have been made to reflect the agreement reached between the Examiner and the Applicants' attorney during telephonic negotiations on Friday, August 27, 2005 and Thursday, September 8, 2005. The claim cancellations have been made because certain claims were rendered redundant by the claim amendments. No new matter has been added. For example, the hydrochloride salts previously referred to as CS1713, CS1714, and CS1814 are depicted *inter alia* in Figures 19, 22, and 30, respectively.

Request for One-Month Extension

Pursuant to 37 CFR 1.136(a), Applicants hereby request a one-month extension of time for filing a response to the final Office Action, mailed May 16, 2005, in the above-identified application. The Commissioner is hereby authorized to charge \$60.00, the appropriate amount for a Small Entity, to Deposit Account, No. 06-1448; Reference CPX-003.01. Further, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fees to our Deposit Account, No. 06-1448; Reference CPX-003.01.

Conclusion

In view of the above amendments and remarks, it is believed that the pending claims are in condition for allowance. The Applicants respectfully request reconsideration and withdrawal of the pending rejections. The Applicants thank the Examiner for careful consideration of the present case. If a telephone conversation with Applicants' Attorney would expedite prosecution of the above-identified application, the Examiner is urged to contact the undersigned.

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Date: September 8, 2005

Respectfully submitted,
FOLEY HOAG LLP



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